

110TH CONGRESS
2D SESSION

S. 3229

To increase the safety of the crew and passengers in air ambulances.

IN THE SENATE OF THE UNITED STATES

JULY 8, 2008

Ms. CANTWELL introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To increase the safety of the crew and passengers in air ambulances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Air Medical Service
5 Safety Improvement Act of 2008”.

6 **SEC. 2. INCREASING SAFETY FOR HELICOPTER AND FIXED**
7 **WING EMERGENCY MEDICAL SERVICE OPER-**
8 **ATORS AND PATIENTS.**

9 (a) COMPLIANCE REGULATIONS.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), not later than 18 months after the date

1 of the enactment of this Act, all pilots of a heli-
2 copter or fixed wing aircraft providing emergency
3 medical services shall comply with part 135 of title
4 14, Code of Federal Regulations, if there is a med-
5 ical crew on board, without regard to whether there
6 are patients on board.

7 (2) EXCEPTION.—If an aircraft described in
8 paragraph (1) is operating under instrument flight
9 rules or is carrying out training therefor—

10 (A) the weather minimums and duty and
11 rest time regulations under such part 135 of
12 such title shall apply; and

13 (B) the weather reporting requirement at
14 the destination shall not apply until such time
15 as the Administrator of the Federal Aviation
16 Administration determines that suitable, cost-
17 effective, portable, and accurate ground-based
18 weather measuring and reporting systems are
19 available.

20 (b) IMPLEMENTATION OF FLIGHT RISK EVALUATION
21 PROGRAM.—

22 (1) INITIATION.—Not later than 60 days after
23 the date of the enactment of this Act, the Adminis-
24 trator of the Federal Aviation Administration shall
25 initiate a rulemaking—

1 (A) to create a standardized checklist of
2 risk evaluation factors based on Notice
3 8000.301, which was issued by the Administra-
4 tion on August 1, 2005; and

5 (B) to require helicopter and fixed wing
6 aircraft emergency medical service operators to
7 use the checklist created under subparagraph
8 (A) to determine whether a mission should be
9 accepted.

10 (2) COMPLETION.—The rulemaking initiated
11 under paragraph (1) shall be completed not later
12 than 18 months after its initiation.

13 (c) COMPREHENSIVE CONSISTENT FLIGHT DIS-
14 PATCH PROCEDURES.—

15 (1) INITIATION.—Not later than 60 days after
16 the date of the enactment of this Act, the Adminis-
17 trator of the Federal Aviation Administration shall
18 initiate a rulemaking—

19 (A) to require that helicopter and fixed
20 wing emergency medical service operators for-
21 malize and implement performance based flight
22 dispatch and flight-following procedures; and

23 (B) to develop a method to assess and en-
24 sure that such operators comply with the re-
25 quirements described in subparagraph (A).

1 (2) COMPLETION.—The rulemaking initiated
2 under paragraph (1) shall be completed not later
3 than 18 months after its initiation.

4 (d) IMPROVING SITUATIONAL AWARENESS.—Any
5 helicopter or fixed-wing aircraft used for emergency med-
6 ical service operations that is ordered after the date of
7 the enactment of this Act shall have on board a device
8 that performs the function of a terrain awareness and
9 warning system that meets the requirements of the appli-
10 cable Federal Aviation Administration Technical Standard
11 Order or other guidance prescribed by the Administration.

12 (e) IMPROVING THE DATA AVAILABLE TO NTSB IN-
13 VESTIGATORS AT CRASH SITES.—

14 (1) STUDY.—Not later than 120 days after the
15 date of enactment of this Act, the Administrator of
16 the Federal Aviation Administration shall issue a re-
17 port that indicates the availability, survivability, size,
18 weight, and cost of devices that perform the function
19 of recording voice communications and flight data
20 information on existing and new helicopters and ex-
21 isting and new fixed wing aircraft used for emer-
22 gency medical service operations.

23 (2) RULEMAKING.—Not later than 1 year after
24 the date of the enactment of this Act, the Adminis-
25 trator of the Federal Aviation Administration shall

1 issue regulations that require devices that perform
2 the function of recording voice communications and
3 flight data information on board aircraft described
4 in paragraph (1).

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